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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,910	12/01/2003	Soo-Guy Rho	8071-43 (OPP 021181US)	3310
22150	7590	09/13/2006	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			CHUNG, DAVID Y	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,910

Applicant(s)

RHO, SOO-GUY

Examiner

David Y. Chung

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 11-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of Invention I in the reply filed on May 2, 2006 is acknowledged. The traversal is on the ground(s) that the claims do not present a serious burden to the examiner. This is not found persuasive because the divergent nature of the two subcombinations as evidenced by their separate classification would require a burdensome search.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 1. Claims 1-5 and 10 rejected under 35 U.S.C. 102(e) as being anticipated by Fujimori et al. (U.S. 6,850,298).**

As to claim 1, Fujimori discloses a transfective liquid crystal display having a transparent dielectric layer in the reflective region. Note in figure 19, the color filter 42

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and the transparent dielectric layer 47b formed over the color filter in the reflective region R. The transparent dielectric layer 47b has a varying thickness since it is not formed in the transmission region T. See column 21, lines 19-42.

As to claim 2, Fujimori discloses a transfective display having a transmission region T and a reflective region R. The transmission region T constitutes a first display area that displays images using a provided light source. The reflective region R constitutes a second display area that displays images using reflected ambient light.

As to claim 3, figure 19 shows that the thickness of the transparent dielectric layer 47b in the transmission region T (first display area) is zero. Therefore, the thickness of the transparent dielectric layer in the transmission region (first display area) is smaller than the thickness of the transparent dielectric layer in the reflective region (second display area).

As to claim 4, figure 19 shows that the thickness of the transparent dielectric layer 47b in the transmission region T (first display area) is zero.

As to claim 5, Fujimori discloses that the thickness of the color filter layer 42 in the reflective region R (second display area) is smaller than the thickness of the color filter layer in the transmission region T (first display area). See column 21, lines 36-42.

As to claim 10, note in figure 19, the row electrode 45 for applying a voltage across the liquid crystal layer 50. See column 21, lines 43-50.

2. Claims 1 and 6-9 rejected under 35 U.S.C. 102(e) as being anticipated by Rho (U.S. 2003/0160918).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As to claim 1, Rho discloses a transfective type liquid crystal display having a color filter with various thicknesses. Note in figure 11, the green color filter 356, which includes a first region 356a having a first thickness, a second region 356b having a second thickness, and a third region 356c having a third thickness. See paragraphs 0048-0051. The variation in thickness of the color filter 356 causes the passivation layer formed over it to also have a varying thickness.

As to claim 6, the green color filter 356 in figure 11 includes a first region 356a having a first thickness, and a third region 356c having a third thickness. The thickness of the first region 356 a is larger than the thickness of the third region 356c.

As to claim 7, note in figures 10 and 11, the light absorbing layer 370 formed near the edge of the color filter.

As to claim 8, the green color filter 356 in figure 11 includes a second region 356b located near the edge of the color filter and having a thickness greater than the third region 356c.

As to claim 9, a portion of the second region 356b overlaps the light absorbing layer 370. See figure 11.


Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Y. Chung whose telephone number is (571) 272-2288. The examiner can normally be reached Monday thru Friday from 8:30 am to 5:00 pm. If successive attempts to contact the examiner are unsuccessful, the examiner's supervisor David C. Nelms can be reached at (571) 272-1787.

David Chung
GAU 2871
09/08/06


ANDREW SCHECHTER
PRIMARY EXAMINER